

10/579007

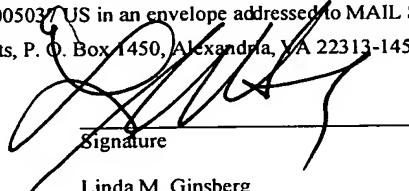
AP20 Rec'd PCT/PTO 11 MAY 2006

Practitioner's Docket No. 700953-53666

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/US2004/037810	12 November 2004 (12.11.2004)	12 November 2003 (12.11.2003)

TITLE OF INVENTION: SYSTEM FOR TREATING AND PREVENTING BREAST
CANCER
APPLICANT FOR DO/US: THERION BIOLOGICS CORPORATION, et al.

CERTIFICATE OF MAILING	
I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. EV 653005037 US in an envelope addressed to MAIL STOP PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.	
Date: <u>May 11, 2006</u>	
	Signature
	<u>Linda M. Ginsberg</u>
	Name of Person Signing

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §1.56, 1.97, and 1.98, Applicants wish to bring to the Examiner's attention the following references, References B1 and C1-C6 cited in the attached Forms PTO/SB/08a and b.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- X (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits; or
- (2) within three months of the mailing date of the PCT International Search Report; or

10/579007

AP20 Rec'd PCT/PTO 11 MAY 2006

____ (3) after the period defined in (1) but before the mailing date of a **Final Rejection or Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely \$180.00, is included herein; or

____ (4) after the mailing date of a **Final Rejection or Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

X A copy of the International Search Report is enclosed herewith.

It is respectfully requested that each of the documents shown on the attached form(s) PTO/SB/08a and b be made of record in this application.

Copies of these documents (CHECK ONE):

X are enclosed herewith; or

____ have been cited in the parent application, and are thus not being resubmitted herein.

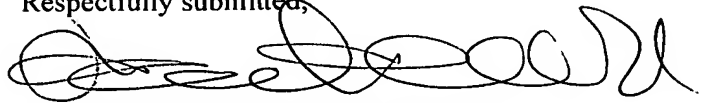
X Pursuant to 37 C.F.R. §1.98, copies of issued U.S. patents listed on the attached form PTO/SB/08, if any, are no longer required and therefore are not enclosed. These documents can be found in the U.S. PTO issued patents database.

FEE AUTHORIZATION

The Commissioner is authorized to charge fee deficiencies or credit overpayments associated with this submission to the NIXON PEABODY LLP Deposit Account No. 50-0850.

Date: May 11, 2006

Respectfully submitted,



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	To be assigned 10/579007
				I.A. Filing Date	12 November 2004
				First Named Inventor	Dennis L. Panicali
				Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	1	of	2	Attorney Docket Number	700953-53666

[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at 222.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	To be assigned
				I.A. Filing Date	12 November 2004
				First Named Inventor	Dennis L. Panicali
				Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	2	of	2	Attorney Docket Number	700953-53666

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	AARTS, Wilhelmina M. et al.; Cancer Research; 62:5770-5777 (October 15, 2002)	
	C2	SCHLOM, Jeffrey et al.; Breast Cancer Research and Treatment; 38:27-39 (1996)	
	C3	SCHOLL, Susy et al.; Journal of Biomedicine and Biotechnology; 3:194-201 (2003)	
	C4	ZAJAC, P. et al.; Human Gene Therapy; 14:1497-1510 (November 1, 2003)	
	C5	GREINER et al., Cancer Research, December 2002, vol. 62, 6944-6951	
	C6	GROSENBACH et al., Cancer Research, June 2001, vol. 61, 4497-4050	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.